

WASHINGTON STATE
BAR ASSOCIATION
Office of Disciplinary Counsel

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January 14, 2022

ADDITIONAL REQUEST FOR RESPONSE TO GRIEVANCE

Kevin M. Bank
Kevin Bank Law PLLC
Via Email Only

Re: Grievance filed by Jennifer Scarborough against Alexandra Lozano
ODC File No. 21-00281

Dear Kevin M. Bank:

We are requesting that your client provide additional information regarding this grievance. Please retain all records, files and accounts related to the grievance until this matter is concluded.

In your May 4, and August 12, 2021 letters, you acknowledge that Lozano refers immigration clients to Lozano's husband's LLC, En Solidaridad, for psychological evaluations to support their VAWA applications. You state that Lozano discloses to her clients in clear terms that she has an interest in En Solidaridad due to her personal connection with En Solidaridad. You state that Lozano requires that clients who choose En Solidaridad for their psychological evaluations sign a conflict waiver acknowledging the conflict of interest.

You are free to provide any information you believe is relevant, but we ask that your client provide a detailed response to each of the following questions:

- How many clients has Lozano referred to En Solidaridad?
- How many of the clients that Lozano referred to En Solidaridad subsequently hired En Solidaridad?
- For the clients that hired En Solidaridad, how many of these clients submitted psychological evaluations from En Solidaridad in support of their VAWA applications?
- For the clients that hired En Solidaridad, how many of these clients did not submit VAWA applications for any reason?
- For the clients that hired En Solidaridad, how many of these clients did not submit VAWA applications because En Solidaridad's psychological evaluation indicated that they were not eligible for relief under VAWA?




- Is Lozano currently referring clients to En Solidaridad? If not, why not?

For each client referred by Lozano to En Solidaridad, please provide all written disclosures related to Lozano's interest in En Solidaridad and all conflict waivers.

Because the grievant in this matter is not the client, under Rule 5.1(c)(3) of the Washington Supreme Court's Rules for Enforcement of Lawyer Conduct (ELC), we will not provide the documents that you provide to the grievant.

If we do not receive a response to this request within **thirty (30) days** from the date of this letter, we will take additional action under Rule 5.3(h) of the Washington Supreme Court's Rules for Enforcement of Lawyer Conduct to compel a response.

Sincerely,

A handwritten signature in black ink, appearing to read "Francesca D'Angelo". The signature is fluid and cursive, with the first name being more prominent.

Francesca D'Angelo
Senior Disciplinary Counsel

cc: Jennifer Scarborough